

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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INTERNATIONAL DIAMOND IMPORTERS	:	
INC.,	:	
	:	15 Civ. 9265 (LGS)
Plaintiff,	:	
	:	<u>ORDER</u>
-against-	:	
	:	
TWIN STAR JEWELRY GROUP, LLC, et al.	:	
	:	
Defendants.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on November 8, 2016, default judgment was granted in favor of Plaintiff on Counts One, Two and Three asserted against Defendant Heng Lee Pearl Company Ltd. (“Heng Lee”) in the Complaint;

WHEREAS, by separate order dated November 8, 2016, this matter was referred to Magistrate Judge Kevin Nathaniel Fox for an inquest on damages;

WHEREAS, Plaintiff timely filed proposed findings of fact and conclusions of law, and briefing in support thereof; and Heng Lee did not file materials in opposition;

WHEREAS, on February 27, 2018, Judge Fox issued a Report and Recommendation on an inquest on damages to award the following damages to Plaintiff: (1) \$120,000 in statutory damages; (2) \$27,145 in reasonable attorneys’ fees; and (3) post-judgment interest to be calculated by the Clerk of Court pursuant to 28 U.S.C. § 1961;

WHEREAS, no timely objection was filed;

WHEREAS, in reviewing an R & R of a magistrate judge, a district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the


magistrate judge.” 28 U.S.C. § 636(b)(1). A district judge is required to “make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made” by any party. Fed. R. Civ. P. 72(b). “But, where no timely objection has been made, the ‘district court need only satisfy itself that there is no clear error on the face of the record’ to accept the R & R.” *J & J Sports Prod., Inc. v. El Ojo Aqua Corp.*, No. 13 Civ. 6173, 2014 WL 4699704, at *1 (E.D.N.Y. Sept. 22, 2014) (quoting *Urena v. New York*, 160 F. Supp. 2d 606, 609–10 (S.D.N.Y. 2001)).

WHEREAS, the Court finds no clear error on the face of the record. It is hereby

ORDERED that the Report and Recommendation is adopted, confirmed and approved in all respects.

The Clerk of Court is respectfully directed enter a default judgment in favor of Plaintiff and against Heng Lee on Counts One, Two and Three of the Complaint, in the amount of: (1) \$120,000 in statutory damages; (2) \$27,145 in reasonable attorneys’ fees; and (3) post-judgment interest to be calculated pursuant to 28 U.S.C. § 1961. Upon entry of Judgment against Heng Lee, the Clerk of Court is directed to close this case.

Dated: April 16, 2018
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE